

**Board of Public Works  
August 13, 2014**

A regular meeting of the Board of Public Works of the Consolidated City of Indianapolis, Marion County, Indiana, was held the 13<sup>th</sup> day of August 2014, in the Public Assembly Room of the City County Building. Chair Lori Miser called the meeting to order at 1:00 p.m.

*Please refer to Indianapolis Channel 16 Government Access Television to view this meeting in its entirety.*

Board members in attendance:	Lori Miser Robert Parrin	Laura Sniadecki Gregory Garrett	Neil Bloede Dennis Rosebrough
Staff in attendance:	Jeff Sirmin Rick Brost Paola Arce	Andy Lutz Sarah Chestnut	Jeremiah Shirk Alex Beatty

**ITEM # 1 – CHANGE ORDERS**

- a. ED-25-010, C/O No. 5; Vermont Street Plaza Reconstruction  
\$106,610.52 – Stenz Construction

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 5 to Stenz Construction in the increased amount of \$106,610.52 for a new contract total not to exceed \$1,835,462.07 and an increase of 55 calendar days for Project No. ED-25-010, Vermont Street Plaza Reconstruction. This change order compensates Stenz Construction for demobilization and remobilization costs due to the DPW ordered winter shutdown. Upon a motion by Mr. Rosebrough, seconded by Mr. Parrin, the Board voted 6-0 to approve Change Order No. 5 for the Vermont Street Plaza Reconstruction Project.

- b. RS-11-510, C/O No. 7; Resurfacing with Related Items of Work in Center and Wayne Townships  
\$162,854.75 – Rieth-Riley Construction Company

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 7 for Rieth-Riley Construction Company in the increased amount of \$162,854.75 for a new contract total not to exceed \$4,454,849.09 and an increase of 138 calendar days for Project No. RS-11-510, Resurfacing with Related Items of Work in Center and Wayne Townships. This change order adds resurfacing of Lynhurst Drive from Crawfordsville Road to 25<sup>th</sup> Street to incorporate Work Directive Nos. 6 and 7, and other itemized adjustments. Upon a motion by Mr. Parrin, seconded by Mr. Bloede, the Board voted 6-0 to approve Change Order No. 7 for the Resurfacing with Related Items of Work in Center and Wayne Townships Project.

- c. RS-12-601A, C/O No. 11; Resurfacing with Related Items in Various Townships  
\$(88,128.87) – E & B Paving, Inc.

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 11 for E & B Paving, Inc., in the decreased amount of \$(88,128.87) for a new contract total not

to exceed \$3,980,567.14 and no increase of calendar days for Project No. RS-12-601A, Resurfacing with Related Items in Various Townships. This change order incorporates the balance of pay item over and under runs for the project; and also corrects a math error found in the contract total of Change Order No. 10. Upon a motion by Ms. Sniadecki, seconded by Mr. Bloede, the Board voted 6-0 to approve Change Order No. 11 for the Resurfacing with Related Items in Various Townships Project.

- d. RS-13-003, C/O No. 7; Resurfacing and Related Items in Center and Washington Townships  
\$(5,627.48) – Calumet Civil Contractors, Inc.

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 7 for Calumet Civil Contractors, Inc., in the decreased amount of \$5,627.48 for a new contract total not to exceed \$3,288,924.99 and an increase of 30 calendar days to the contract substantial and final completion dates for Project No. RS-13-003, Resurfacing and Related Items in Center and Washington Townships. This change order incorporates Work Directive Nos. 20 and 21. Upon a motion by Mr. Garrett, seconded by Mr. Bloede, the Board voted 6-0 to approve Change Order No. 7 for the Resurfacing and Related Items in Center and Washington Townships Project.

- e. RS-13-008; C/O No. 4; Resurfacing with Related Items of Work in Center, Lawrence, Perry, Warren, and Wayne Townships  
\$44,993.89 – E & B Paving, Inc.

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 4 for E & B Paving, Inc., in the increased amount of \$44,993.89 for a new contract total not to exceed \$3,056,149.99 and no change in time for Project No. RS-13-008, Resurfacing with Related Items of Work in Center, Lawrence, Perry, Warren, and Wayne Townships. This change order balances actual quantities of existing line items. Upon a motion by Mr. Parrin, seconded by Mr. Rosebrough, the Board voted 6-0 to approve Change Order No. 4 for the Resurfacing with Related Items of Work in Center, Lawrence, Perry, Warren, and Wayne Townships Project.

## **ITEM # 2 – FINAL CHANGE ORDERS AND ACCEPTANCES**

- a. ED-25-007, C/O No. 2/FINAL; Bank One Renovations Streetscape  
\$(53,347.89) – Rieth-Riley Construction Company

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 2 (FINAL) for Rieth-Riley Construction Company in the decreased amount of \$(53,347.89) for a final contract total not to exceed \$519,757.15 and an increase of 35 calendar days for Project No. ED-25-007, Bank One Renovations Streetscape, and furthermore to accept this project as final. This final change order balances final quantities for the project and incorporates Work Directive No. 7 into the contract as well as add 35 calendar days. Upon a motion by Mr. Rosebrough, seconded by Mr. Garrett, the Board voted 6-0 to approve Final Change Order No. 2 for the Bank One Renovations Streetscape Project.

- b. ST-19-058, C/O No. 1/FINAL; Sherman Drive Sidewalks  
\$(35,881.57) – Milestone Contractors, L.P.

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 1 (FINAL) for Milestone Contractors, L.P., in the decreased amount of \$(35,881.57) for

a final contract amount of \$383,118.43 and an increase of 14 calendar days for Project No. ST-19-058, Sherman Drive Sidewalks, and furthermore to accept this project as final. This final change order adds items covered in Work Directive Nos. 1, 2, and 3; balances over and under runs; and addresses liquidated damages. Upon a motion by Mr. Bloede, seconded by Mr. Garrett, the Board voted 6-0 to approve Final Change Order No. 1 for the Sherman Drive Sidewalks Project.

### **ITEM # 3 – PROFESSIONAL SERVICE AGREEMENT**

CW-04-017; College Avenue Pedestrian Facilities between 86<sup>th</sup> and 91<sup>st</sup> Street  
\$50,500.00 – CMID, Inc.

Staff recommended that the Board of Public Works approve and authorize the Director to execute an Agreement for design with CMID, Inc., for Project No. CW-04-017, College Avenue Pedestrian Facilities between 86<sup>th</sup> and 91<sup>st</sup> Street in the not to exceed contract amount of \$50,500.00. This agreement will install a multi-use path along the west side of College Avenue between 86<sup>th</sup> Street and 91<sup>st</sup> Street. Upon a motion by Mr. Parrin, seconded by Ms. Sniadecki, the Board voted 6-0 to approve the College Avenue Pedestrian Facilities between 86<sup>th</sup> and 91<sup>st</sup> Street Agreement.

### **ITEM # 4 – OTHER BUSINESS**

Mr. Bloede made a motion, seconded by Mr. Garrett, to rescind the Covanta contract. He stated that the Covanta contract was awarded by the board on August 6<sup>th</sup>, and did not comply with Indiana Code 36-9-31-4, as it refers to contract awards and amendments; RFP (Request for Proposal); public notice, and a board resolution, which outlines certain findings relevant to the factors set forth to the statute.

Director Miser mentioned that a motion was made and seconded and asked if legal would respond.

Alex Beatty, Office of Corporation Counsel explained that the Covanta contract did not require a RFQ because the contract was amended and awarded. In fact, he mentioned that the provision did not require a RFP or a public hearing notice to be given. Upon a motion by Mr. Bloede, seconded by Mr. Garrett, the motion to rescind the Covanta contract failed 4-2.

There being no further business the meeting of the Board of Public Works was adjourned at 1:25 p.m.

  
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Lori Miser, Chair

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Kimberly Frye, Recording Secretary